

REMARKS

In response to the Final Office Action dated November 17, 2006, Applicants submit herewith a Preliminary Amendment accompanying a Request for Continued Examination. Previously, all pending claims stood finally rejected under 35 U.S.C. 103(a). For reasons stated below, Applicants submit that all pending claims are now in condition for allowance.

Claim Amendments

Claims 1, 6, 7, 25, 37, 48, 50, 53, 55, 60 and 65 (the Independent Claims) have been amended to recite the additional limitation of scaling the clean traffic data by a weighting factor to extrapolate global traffic data. These amendments do not add any new matter beyond the specification as originally filed, see for example ¶ 0041 of the substitute specification. As such, Applicants request entrance and examination of the Independent Claims.

Rejection of claims under 35 U.S.C. 103(a)

Claims 1-10, 14-26, 29-38, 40-51 and 53-69 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,995,943 (Bull) in view of U.S. Patent No. 6,601,100 (“Lee”). Applicants respectfully disagree with and thereby traverse this previous rejection, but in order to advance the prosecution of the present application, submit herewith amended Independent claims.

As amended, the Independent claims include scaling the cleansed data by a weighting factor to extrapolate global traffic from the sample. (see, e.g. ¶ 0041). As understood and described by the Examiner, Bull describes a Datastore that stores traffic data relating to an individual user’s activity. The Bull system then uses this data to enhance “URL Munging” to the

specific user, e.g. providing as many personalized hyperlinks or advertisements to the user.

Therefore, the Bull system does not and in-fact would never want global traffic information as that is merely superfluous to its personalized URL Munging techniques. Similarly, as understood and described by the Examiner, Lee describes a system for tracking user interactivity between various web sites on various user sessions. The Lee system concerns itself not with which URLs are accessed, but more specifically determines paths from first URLs to second URLs to third URLs and so forth, tracking interpage activity. This information on the “interaction of visitors with web content” is very specialized to the web activity and tied back to web requests.

Additionally, the Lee system describes seeing an existing data stream of activity and determining the user-activities on **that** data stream. Lee is not concerned with global traffic information because as far as Lee is concerned, it is viewing what it wants to view. Therefore, similar to the Bull system, the Lee system does not teach or suggest weighting factors for global traffic data because the Lee system focuses on the user activities within the captured data stream activity, not global activity. In fact, the Lee system actually teaches away from any weighting technique because Lee already considers the collected data as the full data scope.

Therefore, Applicants respectfully submit that the Independent claims are patentable in view of the combination of Bull and Lee for at least the reasons stated above. Claims 2-5, 8-10, 14-24, 26, 29-36, 38, 41-43-47, 49, 51, 54, 56-59, 61-64 and 66-69 depend from the Independent claims and recite further patentable subject matter therefrom. These claims are allowable for at least the same reasons as noted above regarding the deficiencies of Bull and Lee, either individually or in combination thereof.

Claims 11-13, 27-28, 39-40 and 52 stand rejected under 35 U.S.C. §103(a) as being untaught over Bull in view of Lee and further in view of U.S. Patent No. 6,345,289 (hereinafter referred to as “Lotspiech”). Applicants respectfully disagree because the combination fails to teach or suggest all of the claimed limitations.

In view of the above discussion regarding Independent claims 7, 25, 37 and 50, Applicants submit the combination of Bull and Lee fails to teach or suggest the claimed limitations. Although, as noted on page 6 of the present Office Action, Lotspiech is asserted as teaching increasing user privacy and thereby the combination of prior art references teach the limitations recited herein, to which Applicants respectfully disagree.

More specifically, claims 11, 27, 39 and 52 explicitly recite using “a cryptographically secure one-way hash function.” The present Office Action fails to identify where Lotspiech teaches using such one-way hash function. Instead, Lotspiech is cited for the general concept of disguising user identification but is silent regarding teaching or suggesting the claimed technique. Rather, the Examiner-cited passages merely generally describe the desire for user privacy including a “persona module 640” (col. 7, line 21). Lotspiech’s persona module is wholly inconsistent with the explicit identification masking technique of “a cryptographically secure one-way hash-function.” Therefore, the present rejection of these claims, including the further dependent claims 12-13, 28 and 40, is improper. Should the Examiner maintain the present rejection, Applicants respectfully request a showing, including column and line numbers, of where Lotspiech explicitly discloses the claimed limitations. Otherwise, Applicants respectfully request passage of these claims to issuance.

Conclusion

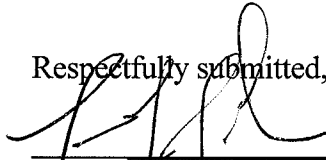
For these reasons, the applicants respectfully request that the Examiner withdraw the rejections as they might be applied to the claims as pending following entry of this amendment and allow the claims. To expedite prosecution of this application to allowance, the Examiner is invited to call the applicants' undersigned representative to discuss any issues relating to this application.

The Commissioner is hereby authorized to charge any deficiency or credit any overpayment to our Deposit Account No. 50-4026 if required in the submission of this Amendment.

Dated: May 17, 2007

THIS CORRESPONDENCE IS BEING SUBMITTED
ELECTRONICALLY THROUGH THE PATENT AND
TRADEMARK OFFICE EFS FILING SYSTEM ON
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Respectfully submitted,



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